

Attachment 3E(1)

Explanatory Note for USDA Forest Service Report November 2, 2009

Pursuant to the Office of Management and Budget's American Recovery and Reinvestment Act Implementation Guidance, Appendix 7, and the Council on Environmental Quality guidance as updated on August 17, the Forest Service submitted this Section 1609(c) report for activity through September 30, 2009.

This report updates and clarifies the first and second reports, reports on new projects, and address the NEPA work necessary for the ARRA funded projects and activities that will use over 90 percent of the ARRA funds appropriated.

To better report and track projects, the Agency is changing the way it uses the numbers identifying the spreadsheet rows and how those row numbers identify its projects. Previously, each line of data received a unique spreadsheet row number that was also identified as the project number shown on page 2, column A. This meant that each individual project could have multiple numbers; for example, when a project was analyzed both at the broad-scale, programmatic, level and the subsequent, tiered, site-specific level. As the reporting complexity increased, confusion also increased. For example, projects with multiple “pending” NEPA decisions would appear on several additional rows when the NEPA action was identified, leaving the reader uncertain about the status of projects being reported and whether a particular project was still pending.

To address this concern, each project will now have just one spreadsheet row number associated with it (page 2, column A). Additional rows of data for that project would be entered on a row under the row with the number and will not have its own row number. Those additional rows will represent the different types of NEPA actions.

For this report, a project will be referenced by its new number and the old numbering system so that the reader can track the projects from previous reports. Future reports will refer to the numbers consistent with this report.

As of September 30, the Forest Service has identified 695 Recovery Act funded projects. A “project” as defined for Recovery Act budgeting/accounting purposes doesn’t always align with the “project” as defined for NEPA purposes. In this case, the Recovery Act “project” is a combination of multiple component “projects” that have independent utility and are individually analyzed under NEPA. This results in fewer ARRA funded projects being reported than the number of NEPA actions.

Corrections and Updates to the second report presented in this report:

Corrections:

- Row #60 (old row #103) corrected the number of categorical exclusions (CEs) from three to one and from pending to complete: WFM-0811-16HF/Hazardous Fuels Reduction, and Grandfather RD Hazardous Fuels Reduction;

- Row #66 (old row #113) corrected the number of environmental impact statements (EISs) from five to three: WFM-0900-6-HFR/Hazardous Fuels Reduction/Hazardous Fuel Reduction Projects, and Readiness greater than 120;
- Row #86 (old rows #154 and 155) has been corrected to reflect the correct number of CEs: CIM-0903/0909-8EW, Related Ecosystem/Watershed Enhancements, and Jobs to Improve Minnesota Forest Fish Passage;
- Row #101 (old rows #173-176) corrected the number of documents and their status: Roads, and Bonner County Roads Projects 2;
- Row #102 (old rows #177-179) corrected the number of documents and their status: CIM-0104-16R, Roads, and Shoshone County Roads Projects;
- Row #121 (old row #220) corrected the number of CEs from one to two: CIM-0305-02R, Roads, and Bridge Replacement (3- Madera Cyn. and Silver Creek);
- Row #122 (old row #221) corrected the number of environmental assessments (EAs) from thirteen to fourteen: CIM-0305-03R Roads, and Forest Wide Road Realignment and Decommissioning;
- Row #132 (old rows #238 and 239) corrected the number of NEPA actions from seven EISs to six and eight EAs to seven: CIM-05-03R, Roads, and Road Storm Proofing/Maintenance;
- Row #133 (old row #243) corrected the number of CE actions and to add one EA inadvertently left off the report: CIM 05-04R, Roads, and Road Bridge Maintenance.

Updates:

- All environmental documentation has been completed for old row #s 5 and 6 and incorporated into project row #3: WFM-0312-1 and Tonto National Forest Hazardous Fuels Reduction,
- Current report row #83, updated the status for the “CIM-0907/910-15EW. Related Ecosystem Watershed Enhancements, Jobs to Improve Upper Michigan Forest Fish Passage – Tier 3” project. The previous report indicated that the level of NEPA had not yet been determined, this report now shows those NEPA actions have now been completed with 1 EA and 2 CEs.
- Current report row #85, updates the status for the “CIM-0910-13EW, Related Ecosystem/Watershed Enhancements, Jobs to Improve Upper Michigan Forest Fish Passage – Tier 2” report. The previous report indicated that the level of NEPA had not yet been determined, this report now shows the NEPA actions has now been completed with 1 CE.
- Three pending EAs for old row #213, have been consolidated. The project was redesigned and the completed CE was determined to be sufficient for the entire project. The project/activity description for this project is CIM-0213-01R, Roads, and SJNF Road Resurfacing/Stabilization and Decommission.
- Row #126 (old row #225), NEPA documentation has been changed from an EA action to a CE action due to project design: CIM-0306-20R, Roads, FY10 NFSR 150 Rehabilitation / Maintenance.

- Row #139 (old row #254), the initial design identified 20 CE actions. That number has now been increased to 44 CE actions (all completed) and added 19 pending EA actions: CIM-06XX-01R, Roads, and Region-wide Road Deferred Maintenance.
- Old row #215 was removed from a CE action to Not Applicable when it was determined that Federal Highways Administration was the responsible agency and decisionmaker.
- Old row #252 was moved from an EA action to Not Applicable when it was determined that Federal Highways Administration was the responsible agency and decisionmaker.
- CEs have been completed for the following:
 - Row #50 (old row #80) WFM-05-01M/Hazardous Fuels Mitigation (1 total);
 - Row #52 (old row #86) WFM-0616-04HF/Hazardous Fuels Reduction/P-Forest Health Protection and Hazard Mitigation (1 total);
 - Row #55 (old row #97) WFM-0801-09HF/Hazardous Fuels Reduction/Alabama Mechanical Fuels Treatment (2 total);
 - Row #83 (old row #149) CIM-0903/0909-15EW, Related Ecosystem/Watershed Enhancements, Jobs to Improve Minnesota Forest Fish Passage – Tier 3 (1 total);
 - Row #85 (old row #152) CIM-0910-13EW, Related Ecosystem/Watershed Enhancements, Jobs to Improve Upper Michigan Forest Fish Passage - Tier 2 (1 total);
 - Row #127 (old row #230) CIM-0402-02R, Roads, Boise NF DM Road & Bridge Maintenance & Improvement (1 total);
 - Row #132 (old rows # 241) CIM-05-03R, Roads, Road Storm Proofing/Maintenance (5 total);
 - Row #133 (old row #243) CIM-05-04R, Roads, Road Bridge Maintenance (9 total); and
 - Row #134 (old row #247) CIM-05-05R, Roads, Road Paving/Chipseal/Surfacing (6 total).
- EAs have been completed for the following:
 - Row #16 (old row #26) CIM-0415-2, Caribou-Targhee Road Maintenance and Aquatic Passage (2 total);
 - Row #47 (old row #72) WFM-0412-01HF/Hazardous Fuels Reduction/Boise & Payette NF Stewardship/Biomass Projects (1 total);
 - Row #52 (old row #84) WFM-0616-04HF/Hazardous Fuels Reduction/P-Forest Health Protection and Hazard Mitigation (1 total);
 - Row #54 (old row #92) WFM-0604-03HF/Hazardous Fuels Reduction/Blue Mountain Fuels and Timer Stewardship (1 total);
 - Row #68 (old row #124) WFM-0900-1-HFR/Hazardous Fuels Reduction/Hazardous Fuel Reduction Projects/Readiness less than or equal to 120 days (1 total);
 - Row #70 (old row #127) WFM-1004-2HF/Hazardous Fuels Reduction/Hope Area Fuels Treatment - Thin and Pile (1 total);
 - Row #86 (old row #153) CIM-0903/0909-8EW, Ecosystem/Watershed Enhancements, Jobs to improve Minnesota Forest Fish Passage (1 total);

- Row #111 (old row #199) CIM-0110-02R, Roads, Flathead County Road Projects 2 (1 total);
 - Row #127 (old row #228) CIM 0402-02R, Roads, Boise NF DM Road & Bridge Maintenance & Improvement (1 total);
 - Row 128 (old row #231) CIM 0402-04R, Roads, Payette NF Road & Bridge Maintenance & Improvement (1 total); and
 - Row #156 (old row #275) CIM-0900-2R, Roads, Region-wide Jobs, Critical Deferred Maintenance Reduction Projects (2 total).
- Seventy eight NEPA actions remain pending. Seventeen are expected to be completed this fall, five are progressing through their normal time frames and expect completion in early 2010, and fifty four are under project development. Of the fifty four projects under development, thirty four are potential CEs and are being checked for extraordinary circumstances. No unanticipated barriers to completion have been identified.

New Information for this report:

- The Agency identified an additional 418 projects.
- The level of NEPA has not been determined for rows #190, #300, and #302.
 - #190 CIM-0104-57F/Facilities/Osprey Public Water Hook-up;
 - #300 OTH-0600-1C2/Trails/Oregon Youth Employment Initiative - Phase II; and
 - #302 CIM-06XX-04T/Trails/R6 Pacific Crest Trail Maintenance OR/WA.
- The previous report disclosed that 143 projects where NEPA was not applicable. With the increase of the 1 Federal Highways project reported above, the previous report should have reported 144 projects not applicable to NEPA. This third report identifies an additional 108 projects not applicable to NEPA for a total of 252. Nine of the 108 projects are under the Comprehensive Environmental Response, Compensation, and Liability Act authority and ninety nine of the 108 are grants issued to state, local, and tribal governments and one non-governmental organization under the following authorities:
 - The Cooperative Forestry Assistance Act of 1978 (P.L. 95-313) — 84 projects;
 - Section 210 of the Energy Policy Act of 2005 (P.L. 109-58) – 15 projects

Of the 108 grants, 44 are for hazardous fuels reduction. It is possible the grantees may choose to conduct operations on National Forest System lands. Should this be the case, appropriate NEPA will be conducted and reflected in future reports.

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